

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON
PORTLAND DIVISION

FRANCIS DELBERT FORD III,

Petitioner,

v.

JEAN HILL,

Respondent.

ORDER

Civil No. 07-509-AC

HAGGERTY, District Judge:

Magistrate Judge Acosta refers to this court a Findings and Recommendation [42] in this matter. The Findings and Recommendation recommends that the Amended Petition for Writ of Habeas Corpus be denied and that a Judgment of Dismissal be entered. The Magistrate Judge also recommends denying a certificate of appealability because petitioner has not made a

substantial showing of the denial of a constitutional right as required by 28 U.S.C. § 2253(c)(2).

Petitioner has filed no objections. The matter is now before me pursuant to 28 U.S.C. § 636(b)(1)(B) and Federal Rule of Civil Procedure 72(b). When no timely objection is filed, the court need only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation of the Magistrate Judge. *Campbell v. United States Dist. Ct.*, 501 F.2d 196 (9th Cir. 1974).

No clear error appears on the face of the record. This court adopts the Findings and Recommendation in its entirety.

CONCLUSION

For the foregoing reasons, the court adopts the Findings and Recommendation [42]. The Amended Petition for Writ of Habeas Corpus [24] is denied and this proceeding is dismissed with prejudice. A Certificate of Appealability is not warranted in this action.

IT IS SO ORDERED.

DATED this 7 day of September, 2010.

/s/ Ancer L. Haggerty
Ancer L. Haggerty
United States District Judge